

Document FORM 1
Page 1 of 4
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Case No: 17-42099 MXM Judge: MARK X. MULLIN Trustee Name: Marilyn D. Garner, Trustee
Case Name: J & D Restaurant Group, LLC Date Filed (f) or Converted (c): 05/19/2017 (f)
341(a) Meeting Date: 07/12/2017
For Period Ending: 01/31/2024 Claims Bar Date: 08/29/2017

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. Refund checks for deposits and checks for rebates from vendors. Refund checks for deposits and checks for rebates from vendors	14,712.18	75,293.94		75,341.30	FA
2. First Bank & Trust - Lubbock (Main Account) Checking account 2603 Last 4 digits: 2603	34,803.66	7,760.16		7,760.16	FA
3. First Bank & Trust - Lubbock (AP Account) Checking account 2611 Last 4 digits: 2611	0.01	0.00		0.00	FA
4. First Bank & Trust - Lubbock (Payroll Account) Checking account 2652 Last 4 digits- 2652	9,882.13	0.00		0.00	FA
5. First Bank & Trust - Lubbock (CC Account) Checking account 2660 Last 4 digits - 2660	100.00	0.00		0.00	FA
6. Bank of America Checking account 7435 Debtor is unable to confirm account balance due to the bank's denial of access, but upon information and belief, there are no funds in the account. Debtor is unable to confirm account balance due to the bank's denial of access, but upon information and belief, there are no funds in the account. Last 4 digits- 7435	0.00	0.00		0.00	FA
7. First Texas Bank Checking account 1051 Last 4 digits - 1051 [Balance is negative] (\$126.29)	0.00	0.00		0.00	FA
8. Utility Deposits prepayment, including prepayments on executory contracts, leases, insurance, taxes and rent	57,877.64	317.12		317.12	FA
9. Prepaid Expenses for General Liability and Workers Compensation Insurance Prepaid Expenses for General Liability and Workers Compensation insurance	34,456.00	0.00		0.00	FA
10. Prepaid retainer with law firm of Dady & Gardner P.A., 80 S 80th Street, Minneapolis, MN 55402 Prepaid Retainer with law firm of Dady & Gardner P.A., 80 S 80th Street, Minneapolis, MN 55402	4,912.50	4,912.50		4,912.50	FA

Document FORM 1
Page 2 of 4
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Case No: 17-42099 MXM Judge: MARK X. MULLIN Trustee Name: Marilyn D. Garner, Trustee
Case Name: J & D Restaurant Group, LLC Date Filed (f) or Converted (c): 05/19/2017 (f)
341(a) Meeting Date: 07/12/2017
For Period Ending: 01/31/2024 Claims Bar Date: 08/29/2017

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
11. Uniforms for Employees Uniforms for Employees Net book value is based upon an estimated liquidation value of roughly \$10.00 per uniform multiplied by 626 employees.	6,260.00	0.00		0.00	FA
12. Equipment Net Book Value is equivalent to the purchase price less depreciation for all items of equipment (liquidation value is unknown). See attached "Exhibit 2 (Schedule A/B)" for equipment list. \$8,382,939.00. Value of debtor's interest: unknown. Net Book Value is equivalent to the purchase price less depreciation for all items of equipment (liquidation value is unknown). See attached "Exhibit 2 (Schedule A/B)" for equipment list. \$8,382,939.00. Value of debtor's interest: unknown.	Unknown	0.00		0.00	FA
13. Miscellaneous Parts and Supplies Items are located in U-Haul storage unit #306 at 3824 S General Bruce Drive, Temple, Texas 76502. Upon information reported from the District Manager of Debtor's formerly-operated restaurant in Temple, Texas, it is believe Items are located in U-Haul storage unit #306 at 3824 S General Bruce Drive, Temple, Texas 76502. Upon information reported from the District Manager of Debtor's formerly-operated restaurant in Temple, Texas, it is believed that few, if any, items remain in the storage unit. Unknown.	Unknown	0.00		0.00	FA
14. Former Restaurant Leases Debtor formerly leased the property and buildings of thirty-one (31) Jack in the Box restaurants. Addresses for the aforementioned properties are attached hereto as "Exhibit 1 (Schedule A/B)." Leased.	0.00	0.00		0.00	FA
15. www.jdgroupllc.com	0.00	0.00		0.00	FA
16. Debtor obtained an extension for its 2016 tax return and has yet to file said return, however, upon information and belief, Debtor will potentially realize a net operating loss for that year. 2016	0.00	88,277.00		88,277.00	FA
17. Upon information and belief, Debtor will potentially realize a net operating loss for 2017.	0.00	0.00		0.00	FA

Document FORM 1 Page 3 of 4
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Case No: 17-42099 MXM Judge: MARK X. MULLIN Trustee Name: Marilyn D. Garner, Trustee
Case Name: J & D Restaurant Group, LLC Date Filed (f) or Converted (c): 05/19/2017 (f)
341(a) Meeting Date: 07/12/2017
For Period Ending: 01/31/2024 Claims Bar Date: 08/29/2017

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
18. Debtor has potential claims and/or causes of action against Jack in the Box, Inc. and/or Jack in the Box Eastern Division, L.P. for breach of the franchise agreement and/or turnover agreement between Debtor and the aforementioned parties. Potential Breach Debtor has potential claims and/or causes of action against Jack in the Box, Inc. and/or Jack in the Box Eastern Division, L.P. for breach of the franchise agreement and/or turnover agreement between Debtor and the aforementioned parties. Potential Breach of Contract. [Petition in Intervention filed by the Trustee in Cause No. 048-291340-17 in the 48th Judicial District Court of Tarrant County on April 17, 2019]	Unknown	100,000,000.00		0.00	100,000,000.00
19. Potential Breach of Contract Falcon Holdings Management for breach of its agreement regarding bookkeeping services to be provided to Debtor. Potential Breach of Contract Debtor has potential claims against Falcon Holdings Management for breach of its agreement regarding bookkeeping services to be provided to Debtor. Potential Breach of Contract	Unknown	0.00		0.00	FA
20. Certain payments or transfers to creditors within 90 days before filing this case See Exhibit 1 - Check Register SOFA - Exhibit 1 Preference demand/avoidable transfer payments will be listed separately when demand for turnover of these payment is made by Trustee.	0.00	300,000.00		0.00	FA
21. U-Haul Moving & Storage of Midway 3824 S General Bruce Drive Temple TX 76502 Miscellaneous equipment and supplies for repairs	0.00	0.00		0.00	FA
22. Two 10x10 storage units at Mini Storage of Troy in Troy Texas Units 1 and 32 (u) Order at doc no. 79	0.00	0.00	OA	0.00	FA
23. Wells Fargo Settlement (u)	0.00	0.00		50.00	FA
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		0.00	FA

TOTALS (Excluding Unknown Values)

\$163,004.12

\$100,476,560.72

Gross Value of Remaining Assets

\$176,658.08 \$100,000,000.00

(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Case 17-42099-mxm7 Doc 142 Filed 01/31/24 Entered 01/31/24 14:49:05 Desc Main Document Page 4 of 4

After a month long Jury trial in January 2023 in Tarrant County District Court, the Estate was awarded a verdict in the amount of \$8 million. The District Court, however, entered a take-nothing verdict notwithstanding the Jury's verdict. The Court entered its order approving the employment by the Estate of Haynes and Boone, LLP as special appellate litigation counsel. An appeal of the district Court's ruling has been filed. Briefs are scheduled to be filed in June 2024.

Initial Projected Date of Final Report (TFR): 06/30/2017

Current Projected Date of Final Report (TFR): 12/31/2025

Trustee Signature: /s/ Marilyn D. Garner, Trustee

Date: 01/31/2024

Marilyn D. Garner, Trustee
2001 E. Lamar Blvd., Suite 200
Arlington, TX 76006
(817) 505-1499
mgarner@marilyndgarner.net